IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1270 OF 2007
IN
SECOND APPEAL NO.223 OF 1985

Vasant Shankar Patil, Deceased,
Thru' Nirmala Vasant Patil & Ors. ...Applicants
V/s.
Shankar Balu Patil, Deceased,
Thru' Prakash Shankar Patil & Ors. ...Respondents

Mr.Rajiv Patil, Advocate, for the Applicants.

CORAM : ABHAY S.OKA, J.
DATED : 23RD NOVEMBER, 2007.

P.C.:

1. Leave to amend. Amendment has been carried out in open court. The learned Advocate for the applicant has tendered affidavit of service which is taken on record and marked "X" for identification.

2. In view of averments made in the application, the same deserves to be allowed. Accordingly, the Civil Application is allowed in terms of prayer clauses (a) and (a1).

3. Issue notice of Civil Application No.1259 of 2004 to the respondents therein returnable on 13-02-2008. In addition to service of notice through Court, Advocate for the applicant to serve private notice and will file affidavit of service before the returnable date.

[ABHAY S. OKA, J.]